



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

No. 16-138, CD1

RESOLUTION

AUTHORIZING THE USE OF OVERT VIDEO MONITORING IN THE CITY AND COUNTY OF HONOLULU TO PREVENT AND DETER GENERAL CRIMINAL ACTIVITY AND ACHIEVE THE LEGITIMATE LAW ENFORCEMENT OBJECTIVE AND LEGITIMATE PUBLIC PURPOSE OF ENSURING A SAFE AND SECURE 2016 INTERNATIONAL UNION FOR CONSERVATION OF NATURE AND NATURAL RESOURCES (IUCN), 2016 IUCN WORLD CONSERVATION CONGRESS.

WHEREAS, Section 2-32.1, Revised Ordinances of Honolulu 1990, as amended ("ROH"), defines "overt monitoring" as monitoring of which a reasonable person would be aware; and

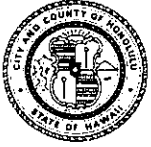
WHEREAS, Section 2-32.1, ROH, defines "'legitimate law enforcement objective' as the detection, investigation, prevention or deterrence of crime, protection of a person or property from harm, or the apprehension and prosecution of a suspected criminal or traffic violator"; and

WHEREAS, Section 2-32.1, ROH, defines "legitimate public purpose" as the detection, investigation, prevention or deterrence of violations of federal, state or City and County of Honolulu (City) regulatory requirements, the evaluation of City programs and operations, the training of City personnel, the investigation of claims involving the City, and other activities supporting public functions; and

WHEREAS, Section 2-32.3(a)(6), ROH, provides for the use of overt video monitoring of public activity by the City from fixed locations for purposes as designated by the Council of the City and County of Honolulu (Council) via resolution, following the holding of a public hearing at which members of the public may express their views on the proposed monitoring and the proposed general areas where the monitoring will take place; and

WHEREAS, on September 1 through September 10, 2016, the City is in support of the State of Hawaii in hosting the 2016 IUCN World Conservation Congress, one of the most prestigious meetings in the world, which is projected to attract 15,000 participants or more from the international nature and natural resources community; and

WHEREAS, the size and scope of this prestigious event requires a coordinated multi-agency and cross-jurisdictional security effort between federal, state and City agencies, including the Department of Emergency Management (DEM), the Honolulu Police Department (HPD) and other City departments, to ensure the safety of the international participants and their families, local nature and environmental organization volunteers and supporters, and the general public; and



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WHEREAS, after September 1, 2016, certain cameras used for overt video monitoring at the Neal S. Blaisdell Center during the 2016 IUCN World Conservation Congress opening ceremonial activities on September 1, 2016 will be disconnected and returned for use by Neal S. Blaisdell Center security contractors for only on-premises security purposes; and

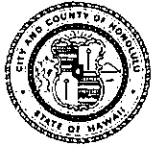
WHEREAS, after the conclusion of the 2016 IUCN World Conservation Congress, certain cameras used for overt video monitoring during the event will be utilized by the Department of Transportation Services (DTS) to monitor traffic and by the Department of Information Technology (DIT) to monitor entry points and equipment located in and around public buildings or facilities; and

WHEREAS, HPD and other City departments are currently utilizing video surveillance cameras and are installing additional video surveillance cameras at various locations within the City, including but not limited to Waikiki and downtown Honolulu; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that it authorizes the DEM and its designees to use overt video monitoring at various locations in the City from August 30, 2016 through September 11, 2016, to achieve the legitimate law enforcement objectives and legitimate public purpose of ensuring the safety of the 2016 IUCN World Conservation Congress participants and attendees, and the general public, and the security of event expo venues in preparation for, during, and after the 2016 IUCN World Conservation Congress; and

BE IT FURTHER RESOLVED that the provisions of this Resolution takes effect upon the passage of this Resolution and upon compliance with the noticing requirements as provided in Sections 2-32.3(b)(5) and 2-32.3(b)(6), of the Revised Ordinances of Honolulu 1990, as amended, and will remain in effect until September 11, 2016; and

BE IT FURTHER RESOLVED that the Department of Emergency Management shall report to the Council no later than January 13, 2017, detailing the long-term implementation plans for the video surveillance cameras that will remain in use after September 11, 2016 for traffic monitoring purposes, the disposal or refurbishment plans for the video surveillance cameras that will be immediately removed after September 11, 2016, and the schedule to destroy or retain the video surveillance recordings; and



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BE IT FINALLY RESOLVED that copies of this Resolution be transmitted to the Mayor, the Managing Director, the Director of Emergency Management, the Prosecuting Attorney, the Chief of Police, the Legislative Liaison Office of the Honolulu Police Department, 801 South Beretania Street, Honolulu, Hawaii 96813, the Director of Transportation Services, the Director of Information Technology, and the 2016 IUCN World Conservation Congress Planning Group, c/o Department of the Attorney General, 425 Queen Street, Honolulu, Hawaii 96813.

INTRODUCED BY:

Ernest Martin (b/r)

DATE OF INTRODUCTION:

May 19, 2016

Honolulu, Hawaii

Councilmembers

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII
CERTIFICATE

RESOLUTION 16-138, CD1


Introduced: 05/19/16 By: ERNEST MARTIN – BY REQUEST Committee: PUBLIC HEARING/PUBLIC HEALTH, SAFETY AND WELFARE

Title: RESOLUTION AUTHORIZING THE USE OF OVERT VIDEO MONITORING IN THE CITY AND COUNTY OF HONOLULU TO PREVENT AND DETER GENERAL CRIMINAL ACTIVITY AND ACHIEVE THE LEGITIMATE LAW ENFORCEMENT OBJECTIVE AND LEGITIMATE PUBLIC PURPOSE OF ENSURING A SAFE AND SECURE 2016 INTERNATIONAL UNION FOR CONSERVATION OF NATURE AND NATURAL RESOURCES (IUCN), 2016 IUCN WORLD CONSERVATION CONGRESS.

Voting Legend: * = Aye w/Reservations

05/21/16	PUBLISH	PUBLIC HEARING NOTICE PUBLISHED IN THE HONOLULU STAR-ADVERTISER.
06/01/16	COUNCIL/PUBLIC HEARING	PUBLIC HEARING CLOSED AND REFERRED TO THE COMMITTEE ON PUBLIC HEALTH, SAFETY AND WELFARE. 9 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, MENOR, OZAWA, PINE.
06/14/16	PUBLIC HEALTH, SAFETY AND WELFARE	CR-193 – RESOLUTION REPORTED OUT OF COMMITTEE FOR ADOPTION AS AMENDED IN CD1 FORM.
07/06/16	COUNCIL	CR-193 AND RESOLUTION 16-138, CD1 WERE ADOPTED. 9 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, MENOR, OZAWA, PINE.

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this RESOLUTION.


GLEN A. TAKAHASHI, CITY CLERK


ERNEST Y. MARTIN, CHAIR AND PRESIDING OFFICER